


FORM PTO 1390 (REV 5-93)		US DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY DOCKET NUMBER 2005-0024A	
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. §371				U.S. APPLICATION NO. (if known, 37 CFR 1.53) NEW 101522603	
International Application No. PCT/JP2003/009529		International Filing Date July 28, 2003		Priority Date Claimed July 29, 2002	
Title of Invention CHINESE HERBAL MEDICAL COMPOSITION IN THE FORM OF JELLY					
Applicant(s) For DO/EO/US Tsunehiro FUKUCHI, Koji MATSUURA, Noboru TATSUMI, Masatake DAIRAKU and Mitsuo TOGASHI					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. §371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. §371. 3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1). 4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. §371(c)(2)) a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input checked="" type="checkbox"/> A translation (26 pages and Fig. 1 (A4P)) of the International Application into English (35 U.S.C. §371(c)(2)). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3)). a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19. 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)). 10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)). Items 11. to 14. below concern other document(s) or information included: 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 14. <input checked="" type="checkbox"/> Other items or information: (a) PCT Request; (b) Forms PCT/IB/304, 308 and 332; (c) International Search Report; (d) first page of Published International Application (WO 2004/010969); (e) Demand; (f) Written Opinion; (g) International Preliminary Examination Report; and (h) Request for Use of Particular Title of Invention.					

THE COMMISSIONER IS AUTHORIZED
 TO CHARGE ANY DEFICIENCY IN THE
 FEE FOR THIS PAPER TO DEPOSIT
 ACCOUNT NO. 23-0975.

U.S. APPLICATION NO. 10/522603 NEW		INTERNATIONAL APPLICATION NO. PCT/JP2003/009529		ATTORNEY'S DOCKET NO. 2005-0024A	
15. <input checked="" type="checkbox"/> The following fees are submitted				CALCULATIONS	PTO USE ONLY
Basic National Stage Fee \$300.00 National Stage Search Fee..... \$500.00 National Stage Examination Fee..... \$200.00 Specification/drawings in excess of 100 (units of 50) x \$250 = \$					
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$1,000.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total Claims	2 -20 =	0	X \$50.00	\$	
Independent Claims	1 - 3 =	0	X \$200.00	\$	
Multiple dependent claim(s) (if applicable)			+ \$360.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$1,000.00	
<input type="checkbox"/> Small Entity Status is hereby asserted. Above fees are reduced by 1/2.				\$	
SUBTOTAL =				\$1,000.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$
TOTAL NATIONAL FEE =				\$1,000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$ 40.00	
TOTAL FEES ENCLOSED =				\$1,040.00	
				Amount to be refunded	\$
				Amount to be charged	\$
a. <input checked="" type="checkbox"/> A check in the amount of <u>\$1,040.00</u> to cover the above fees is enclosed. A duplicate copy of this form is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 23-0975 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-0975</u> .					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
19. CORRESPONDENCE ADDRESS			By:  Michael R. Davis, Registration No. 25,134 WENDEROTH, LIND & PONACK, L.L.P. 2033 "K" Street, N.W., Suite 800 Washington, D.C. 20006-1021 Phone:(202) 721-8200 Fax:(202) 721-8250 January 26, 2005		
CUSTOMER NO. 000513					

[CHECK NO. 66267]
[2005-0024A]

10/522603

DT05 Rec'd PCT/PTO 26 JAN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Tsunehiro FUKUCHI et al. : **Mail Stop: PCT**
Serial No. NEW : Attorney Docket No. 2005-0024A
Filed January 26, 2005 :
CHINESE HERBAL MEDICAL
COMPOSITION IN THE FORM OF JELLY :
[Corresponding to PCT/JP2003/009529
Filed July 28, 2003]

REQUEST FOR USE OF PARTICULAR TITLE OF INVENTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEE FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975.

Sir:

Applicants request that the PTO use the title of the invention set forth on the first page of the attached English translation of the PCT application as filed, namely,

CHINESE HERBAL MEDICAL COMPOSITION IN THE FORM OF JELLY

instead of the title of the invention in the Published International Application.

Respectfully submitted,

Tsunehiro FUKUCHI et al.

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January 26, 2005